IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL REVISION No. 200 of 2007

GORDHAN & ORS.
V/S
CHHOGA LAL

Mr. MANJUL SHRIMALI for Mr. NARENDRA SHRIMALI, for the appellant / petitioner

Date of Order : 8.8.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

Of course, the learned trial court has dismissed the application considering it to be premature. However, learned counsel read to me the application, and from reading thereof it is clear that the suit has been filed by the plaintiff for claiming his right as Pujari, and is not a suit for enforcement of right on behalf of trust. Therefore, in my view, Section 29 of the Public Trust Act is not at all attracted.

In that view of the matter, I do not find any force in the application under O. 7 Rule 11 C.P.C.

The writ petition is, therefore, dismissed summarily.

(N P GUPTA),J.